

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

VIRGINIA D. STITT,

Plaintiff,

v.

Case No. 05-60196

Hon. John Corbett O'Meara

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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**ORDER ADOPTING MAGISTRATE JUDGE WHALEN'S
REPORT AND RECOMMENDATION AND
REMANDING THE CASE**

This matter has come before the Court on the Magistrate Judge's Report and Recommendation. Being fully advised in the premises and having reviewed the record and the pleadings, the Court finds that the Magistrate Judge reached the correct conclusion in the Report and Recommendation. Accordingly, the Court hereby ACCEPTS AND ADOPTS the Magistrate Judge's Report and Recommendation in its entirety.

It is further ordered that Defendant's motion for summary judgment is DENIED and plaintiff's motion for summary judgment is GRANTED and the matter is hereby **REMANDED** to the Commissioner of Social Security for rehearing and clarification.

SO ORDERED.

s/John Corbett O'Meara

John Corbett O'Meara
United States District Judge

Dated: June 1, 2006